

May 10, 2019

Via ECF

Honorable Lorna G. Schofield
U.S. District Court
Southern District of New York
Thurgood Marshall Courthouse
40 Foley Square
New York, NY 10007

Re: *In re Foreign Exchange Benchmark Rates Antitrust Litigation*
Case No. 1:13-cv-07789-LGS

Dear Judge Schofield:

Pursuant to the Second Amended Civil Case Management Plan and Scheduling Order entered in this action (“Scheduling Order”) (ECF No. 1014), Plaintiffs and Credit Suisse Securities (USA) LLC, Credit Suisse Group AG, and Credit Suisse AG (“Credit Suisse”) submit this joint status letter.

I. Pending Motions

Plaintiffs’ motion for class certification is fully briefed and is pending. Credit Suisse’s motion to exclude Plaintiffs’ experts Robin Poynder, Hal J. Singer, Ph.D, and Professors Geir Høidal Bjønnes and Alexander Ljungqvist is fully briefed and is pending. On March 21, 2019, the parties submitted a joint letter to the Court advising that, should the Court be inclined to hold oral argument on these motions, the parties are prepared to appear at a status conference to address: (i) the Court’s preference for any hearing(s) on such motions; (ii) the content, format, and duration of such hearing(s); and (iii) the potential involvement of live testimony, including expert witnesses, at such hearing(s). *See* ECF No. 1247.

II. Discovery

Audio: On September 10, 2018, the parties reached an agreement on cost sharing in connection with the restoration of the audio production files. Credit Suisse substantially completed the audio restoration process, and responsive non-privileged audio files will be produced following processing and Credit Suisse’s review of the files. The parties are continuing to meet and confer regarding indexing of the audio files and the use of phonetic search terms.

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III. Next Joint Status Letter

The parties will submit their next joint status letter on Friday, July 12, 2019.

Respectfully submitted,

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